

# Energy Consumers Alliance of New England

doing business as



February 6, 2009

Philip Giudice, Commissioner  
Massachusetts Department of Energy Resources  
100 Cambridge St, Suite 1020  
Boston, MA 02114

Subject: Comments/Questions on RPS Regulations

Dear Philip Giudice,

Mass Energy Consumers Alliance (Mass Energy) is grateful for the opportunity to submit to the Department comments pertaining to the RPS regulations. Mass Energy is specifically interested in the new requirements for 3<sup>rd</sup> party verification of behind-the-meter generation.

In Section 32, sub-section 11F. (d), the Act states: "A Class I renewable generating source may be located behind the customer meter within the ISO-NE control area if the output is verified by an independent verification system participating in the NEPOOL GIS accounting system and approved by the department." The clarification Mass Energy is seeking pertains to the definition of behind-the-meter generation. For some projects, 100 percent of the generation is used entirely on-site. These are the simplest cases. But please clarify how DOER would treat the following cases:

1. A large wind turbine is connected to the customer's meter. Most of the generation is physically used by the customer, but some of it is still sent into the grid (at night when the wind is strong and the lights are off). However, the customer still uses more *total* electricity than the wind turbine generates. In fact, it would be able to use up all the net metering credits produced by the turbine. For the purpose of determining eligibility for Class I and/or the set-aside for behind-the-meter generation would the Department consider 100% of the generation as "behind-the-meter" or only the portion that is physically used by the customer and not sent onto the grid?
2. A customer owns a large wind turbine that is interconnected behind the customer meter, but has significant excess generation – more than the customer could ever consume. Is 100% of the wind turbine's generation considered behind-the-meter or only the portion that the customer uses directly?

As the leading retailer for Massachusetts-based, behind-the-meter RECs, Mass Energy appreciates your attention to these issues and would appreciate any clarity that you could provide.

Sincerely,

A handwritten signature in black ink that reads "Larry Chretien".

Larry Chretien  
Executive Director